

Stefanie Alfonso-Frank  
(202) 637-1020  
stefanie.alfonso-frank@lw.com

**LATHAM & WATKINS LLP**

FILED/ACCEPTED

JUL 12 2007

Federal Communications Commission  
Office of the Secretary

July 12, 2007

**BY HAND**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, D.C. 20002

**Re: Time Warner Cable Section 63.71 Discontinuance Application**

Dear Ms. Dortch:

Enclosed on behalf of Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable ("Time Warner Cable"), please find an original and five (5) copies of a Section 63.71 Application to discontinue the provision of circuit-switched domestic telecommunications services to customers in certain communities in Texas.

Please stamp and return to me the copy provided for that purpose. Should you have any questions regarding this filing, please do not hesitate to contact me.

Truly yours,



Stefanie Alfonso-Frank  
Counsel for Time Warner Cable

Attachment

WC 07-238  
555 Eleventh Street, N.W., Suite 1000  
Washington, D.C. 20004-1504  
Tel: (202) 637-2200 Fax: (202) 637-2201  
www.lw.com

**STAMP  
AND  
RETURN**

FIRM / AFFILIATE OFFICE

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**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Section 63.71 Application of Time Warner	)	
Cable Information Services (Texas), L.P.	)	WC Docket No. _____
d/b/a Time Warner Cable	)	
for Authority to Discontinue	)	
Certain U.S. Domestic Telecommunications	)	
Services		

**SECTION 63.71 APPLICATION**

Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable ("Time Warner Cable") hereby requests authority pursuant to Section 214(a) of the Communications Act, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of circuit-switched domestic telecommunications services to customers in the following communities in Texas: Addison, Double Oak, Farmers Branch, Grand Prairie, Lancaster, Lewisville, Murphy, Rockwall, Sunnyvale, Bedford, Colleyville, Desoto, Mesquite, Parker, Plano, and Rowlett.<sup>1</sup>

Time Warner Cable currently provides circuit-switched local exchange and toll services to residential customers. While Time Warner Cable intends to offer alternative packet-switched services, Time Warner Cable recognizes that some customers may switch to other providers.

Time Warner Cable requests that the Commission accept the instant application for streamlined treatment.

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<sup>1</sup> The instant application applies only to circuit-switched services offered by Time Warner Cable. Nothing herein should be construed to imply that other services provided by Time Warner Cable or Time Warner Cable Inc. constitute "telecommunications services."

Time Warner Cable provides the following information in support of this Application pursuant to Section 63.71 of the Commission's rules:

**I. SECTION 63.71(A)(1)-(4) INFORMATION**

**A. Name and address of carrier:**

Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable  
290 Harbor Drive  
Stamford, CT 06902

**B. Date of Planned Service Discontinuance:**

Time Warner Cable plans to discontinue the above-referenced services on or after September 12, 2007.

**C. Geographic Areas Affected:**

Affected customers are located in the following communities in Texas: Addison, Double Oak, Farmers Branch, Grand Prairie, Lancaster, Lewisville, Murphy, Rockwall, Sunnyvale, Bedford, Colleyville, Desoto, Mesquite, Parker, Plano, and Rowlett.

**D. Brief description of type of service affected:**

Time Warner Cable seeks authority to discontinue the provision of certain U.S. domestic circuit-switched local services in the above-listed communities in Texas. Approximately 12,240 customers will be affected.

**II. NOTIFICATION REQUIREMENTS**

Time Warner Cable notified all affected customers of this proposed discontinuance by letter via U.S. mail on July 9, 2007. The customer notice letter is attached as *Exhibit A*. The notifications informed customers of the discontinuance of the circuit-switched service offering and informed them of the new, packet-switched offer, in addition to the other local service providers offering service in the area. Follow-up notices will be sent to customers before the final date for termination of this service. All notifications included the content required by Section 63.71(a).

Time Warner Cable certifies that, concurrent with the filing of this Application, it is submitting a copy of this Application to the Governor of the State of Texas, the Public Utility Commission of Texas, and also to the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a).

### III. REGULATORY STATUS

Time Warner Cable is regulated as a non-dominant carrier with respect to the services that it seeks authority to discontinue.

### IV. CONCLUSION

Neither the present nor future public convenience and necessity will be adversely affected by this proposed termination of service. Customers have been provided adequate notice, and the public has access to comparable domestic telephone services offered at competitive prices, whether an alternative service from Time Warner Cable or from another service provider.


For the reasons discussed herein, Time Warner Cable respectfully requests, pursuant to Section 214(a) of the Act and Section 63.71 of the Commission's rules, that the Commission approve its Section 63.71 Application to discontinue certain services to customers in the communities listed above.

Respectfully submitted,

Matthew A. Brill  
LATHAM & WATKINS LLP  
555 Eleventh Street, N.W.  
Suite 1000  
Washington, D.C. 20004

*Its Attorney*

July 12, 2007

  
Julie Patterson Laine  
Vice President & Chief Counsel, Telephony  
TIME WARNER CABLE  
290 Harbor Drive  
Stamford, CT 06902

**EXHIBIT A**  
**CUSTOMER NOTICE LETTER**



P.O. Box 630068  
Irving, TX 75063  
July 9, 2007

**IMPORTANT INFORMATION ABOUT  
YOUR TELEPHONE SERVICE.  
PLEASE READ IMMEDIATELY!**

Para traducción en español, favor de llamar  
Call Toll Free 1-877-305-8954

**DISCONTINUANCE OF TRADITIONAL TELEPHONE SERVICE**

Thank you for being a valued Time Warner Cable customer. This letter is to inform you that Time Warner Cable is embarking upon a change to its telephone service offerings and plans to stop offering in your area the specific local telephone service to which you currently subscribe. This means that your current local Time Warner Cable local telephone service will be discontinued on or immediately after **September 12, 2007**.

You continue to have a choice for local telephone service, and you are free to choose your new provider of service. As a subscriber to Time Warner Cable's existing telephone service, however, you have the opportunity to be among the first in the Dallas area to experience the simplicity, convenience and value of our new and improved residential home phone service, **Digital Phone**. With Digital Phone service, you won't have to worry about complicated calling plans or calling rates that fluctuate based on the time of day you call. You'll enjoy unlimited calling from home for one low monthly price. And unlimited really means unlimited—you'll have the freedom to call anyone, anytime, anywhere throughout Texas, the U.S., Canada and Puerto Rico, and the monthly price won't change.

**Be one of the first to switch and enjoy all these benefits:**

- Keep your same phone number
- **Free and easy installation**—works with existing phones and jacks and you don't have to purchase any new equipment
- Caller ID, Call Waiting, Speed Dial, Call Forwarding and more **at no extra charge**
- 30-day **money-back guarantee**
- No long-term contract
- Compatibility with phone-based security systems, including ADT alarm systems
- **Enhanced 9-1-1**—with E9-1-1, your home address and telephone number are automatically sent to your local dispatcher if you call 9-1-1



**SPECIAL OFFER**

To thank you for being a loyal customer of our current telephone service, we are offering you Digital Phone service for just **\$19.95 per month for the 1st three months\***, with free installation. But hurry, this special introductory offer ends on **September 12, 2007**.

The switch for you is simple—you don't have to purchase any equipment or even change your number; just choose one of the following two great Digital Phone plans:

- **Digital Phone Unlimited**—Unlimited calling to anyone, anywhere, anytime in Texas, the U.S., Canada and Puerto Rico for **\$19.95 per month for the first three months\*** (regularly as low as **\$39.95** per month). Installation is free.
- **Unlimited Texas Calling (In-State)**—Unlimited calling to anyone, anywhere, anytime in Texas for **\$19.95 per month for the first three months\*** (regularly as low as **\$29.95** per month). Installation is free.

We are confident you'll agree that Digital Phone is a simple and easy solution to your local, in-state and long distance calling needs. To prove it, **your installation is absolutely free** for whichever plan you choose. You'll have the added convenience of receiving one bill for Road Runner High Speed Online, Cable and Digital Phone service. And, of course, it's from Time Warner Cable—a company you can count on. **Make the easy switch to Digital Phone service today** and start enjoying unlimited calling!

You may transfer your current service to the Digital Phone service today by calling Time Warner Cable Toll Free at **1-877-305-8954**. If you do so, you will receive **Digital Phone for \$19.95 for the first three months\*** and will have installation provided at **no extra charge**.

In addition, you have the option of purchasing local telephone service from other service providers in your area. Regardless of your choice, **we urge you to act quickly to transfer your service to Digital Phone or to select a new service provider in order to retain your current telephone number.**

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the § 63.71 Application of (carrier's name). Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

## **CONVERTING YOUR LOCAL AND LONG DISTANCE TELEPHONE SERVICE**

If you wish to select Time Warner Cable Digital Phone service, you can call our customer service representatives at **1-877-305-8954**. Please follow these simple steps to convert your local telephone service to another provider:

1. Select a local provider from your local telephone book, which should contain a list of local providers in your area.  
If you make no choice, your service will be disconnected on or about **September 12, 2007**.
2. Select the long distance provider of your choice.
3. Call your new service provider to:
  - Request local telephone service.
  - Choose a new long distance service provider.
  - Get the installation date when your new service will be active.
4. Call Time Warner Cable at 1-877-305-8954 to complete your service conversion.  
Our Customer Service professionals will help you:
  - Complete a Disconnect Order
  - Review your final Time Warner Cable local telephone service bill. Any deposits or credits will be returned to you within 30 days of your final disconnection.

## **TAKE ACTION NOW**

Please take immediate action to convert your local telephone service to a provider of your choice. **If you do not transfer your service to Time Warner Cable's Digital Phone or to a new service provider by September 12, 2007, your service will be terminated and you may not be able to retain your current telephone number.** Please take action now to avoid interruption in your service.

If you have questions, please call Time Warner Cable Customer Service at Toll Free **1-877-305-8954**

Sincerely,

Time Warner Cable  
North Texas Division

\*Offer ends September 12, 2007. \$19.95 offer applies to either Digital Home Phone Unlimited plan or Unlimited Texas (In-State) plan for the first three months. Regular pricing applies after three-month promotional period. Offer valid only for current residential Time Warner Phone (Switch Circuit) customers who switch to new Digital Home Phone service. \$39.95 (Unlimited) & \$29.95 (Texas In-State) Digital Home Phone service monthly rates are based on bundled discounting for customers subscribing to Standard Cable or above and Road Runner High Speed Online. 30 day money back guarantee includes monthly recurring phone charges only. Digital Phone does not include back-up power and, as in the case with an electric-powered home cordless phone, should there be a power outage, Digital Phone, including the ability to access 9-1-1 services, will not be available. Digital Phone is available to residential customers in upgraded Time Warner Cable serviceable areas only. Additional charges apply for taxes, fees, Directory Assistance, Operator Services, out of state calls (for Texas In-State plan customers) and calls to international locations (excluding Canada for Unlimited plan customers.) Prices subject to change. All services may not be immediately available in all areas. Some restrictions apply. Subscription to Cable, Road Runner and/or Digital Phone and related add-on products is subject to credit verification and approval. ©2007 Time Warner Cable, Inc. All Rights Reserved.

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## CERTIFICATE OF SERVICE

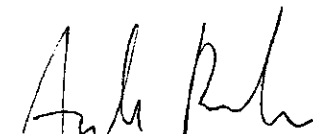
I hereby certify that, I, Andrew Beaulieu, on this 12th day of July 2007, caused copies of the foregoing Section 214 and Section 63.71 Application to be served upon the parties listed below by hand-delivery (designated by an asterisk) or by first-class mail, postage prepaid

Marlene H. Dortch \*  
Secretary  
Federal Communications Commission  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, D.C. 20002  
(original + 5 copies)

The Honorable Rick Perry  
Governor of the State of Texas  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711-2428  
(1 copy)

Clerk  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(1 copy)

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
The Pentagon  
Washington, D.C. 20301  
(1 copy)

  
\_\_\_\_\_  
Andrew Beaulieu